

REMARKS

This Amendment is responsive to the Office Action dated December 16, 2004. Claims 1-10 were pending in the application. In the Office Action, claims 1-10 were rejected. In this Amendment, claims 1-6 and 8-10 were amended and claims 11 and 12 were added. Claims 1-12 thus remain for consideration.

Applicant submits that claims 1-12 are in condition for allowance and requests withdrawal of the rejections in light of the following remarks.

Objection to the Specification

The specification was objected to for failing to provide proper antecedent basis for the claimed subject matter.

Claim 1 has been amended, therefore, the above objection should be removed.

Objection to the Drawings

The drawings were objected to because the views were not numbered consecutively.

The drawings have been corrected, therefore, the above objections should be removed. Attached to this amendment is a replacement drawing.

§ 112 Rejections

Claims 1-10 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-10 have been corrected, therefore, the above rejections are traversed.

§§ 102 Rejections

Claims 1-10 were rejected under 35 U.S.C. 102(b) as being anticipated by Kutil.

Applicant submits that independent claim 1 is patentable over Kutil.

Applicant's invention as recited in the independent claims is directed toward a training wheel frame. For example, independent claim 1 specifies that the frame has a left side tube and a right side tube, each of the side tubes having a front end and a rear end, the front end of each side tube being in rigid communication with the front tube, and the rear end of each side tube being in communication with a wheel. Claim 1 further specifies that the left and right tubes are capable of pivoting about an axis of the front tube thereby placing the wheels at any location between the ground and the chain stay tubes of the bicycle frame. Supporting disclosure for Applicant's frame can be found throughout the specification. (e.g., Page 10, lines 17-19).

Kutil do not disclose left and right tubes that are capable of pivoting about an axis of the front tube thereby placing the wheels at any location between the ground and the chain stay tubes of the bicycle frame. In Kutil, the wheels of its frame are in fixed positions and do not pivot. The only modification that can be performed on Kutil's frame is its removal and placement on a two-wheeled bicycle.

Since Kutil do not disclose left and right tubes that are capable of pivoting about an axis of the front tube thereby placing the wheels at any location between the ground and the chain stay tubes of the bicycle frame, Applicant believes that independent claim 1 is patentable over Kutil.

Claims 2-12 depend on claim 1. Since claim 1 is believed to be patentable over Kutil, claims 2-12 are believed to be patentable over Kutil on the basis of their dependency on claim 1.

CONCLUSION

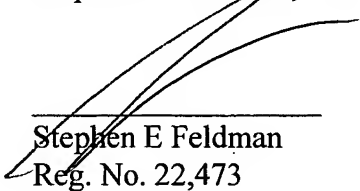
Applicant respectfully submits that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 06-0515.

Respectfully submitted,
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